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Canada - Railways, Canals and
Telegraph Lines, Branding Cite on, 1950

SESSION 1950

HOUSE OF COMMONS

Government

Publication

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STANDING COMMITTEE

ON

RAILWAYS, CANALS AND TELEGRAPH LINES

MINUTES OF PROCEEDINGS AND EVIDENCE

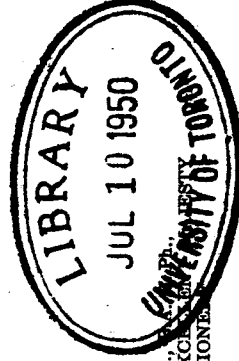
No. 8

Bill No. 303 (Letter Y-8 of the Senate)
An Act to amend the Canada Shipping Act, 1934

WEDNESDAY, JUNE 21, 1950

WITNESSES:

Mr. W. J. Matthews, Director of Administration and Legal Services;
Mr. A. A. Young, Principal Steamship Inspector; Captain J. W. Kerr,
Supervisor of Nautical Services; Mr. W. A. Caton, Chief Inspector of
Radio, all of the Department of Transport; Mr. Albert Downs, Criminal
Investigation Branch, R.C.M.P.; Mr. George R. Donovan and Mr.
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OTTAWA

EDMOND CLOUTIER, C.M.G.,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
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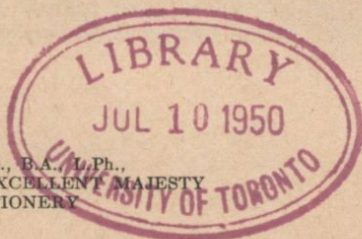
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MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

WEDNESDAY, June 21, 1950.

The Standing Committee on Railways, Canals and Telegraph Lines met at 11.30 o'clock a.m. The Chairman, Mr. L. O. Breithaupt, presided.

Members present: Messrs. Adamson, Applewhaite, Bourget, Breithaupt, Byrne, Cannon, Carroll, Carter, Chevrier, Darroch, Decore, Dewar, Douglas, Garland, Gibson (*Comox-Alberni*), Gillis, Gourd (*Chapleau*), Green, Harrison, Hatfield, Herridge, Higgins, Hodgson, James, Jones, Lafontaine, Lennard, McCulloch, McGregor, McIvor, Mott, Noseworthy, Prudham, Robinson, Rooney, Thomas, Whiteside, Wylie. 38.

In attendance: Mr. W. J. Matthews, Director of Administration and Legal Services; Mr. A. A. Young, Principal Steamship Inspector; Captain J. W. Kerr, Supervisor of Nautical Services; Mr. J. Fortier, Legal Adviser; Mr. W. A. Caton, Chief Inspector of Radio; all of the Department of Transport; Mr. (ex-Staff Sgt) Albert Downs, Criminal Investigation Branch, R.C.M.P.; Mr. George R. Donovan and Mr. Frank Wilkinson, K.C., both of Toronto and respectively Secretary and Counsel, Dominion Marine Association.

The Committee resumed consideration, clause by clause, of Bill No. 303 (Y-8 of the Senate), An Act to amend the Canada Shipping Act, 1934.

By unanimous consent, the Committee reverted to subclause (10) of clause 1.

Mr. G. R. Donovan was called. He made representations on behalf of the Dominion Marine Association, in respect to subclause (10) and certain terms of the international convention for the safety of life at sea, 1948.

The witness was questioned thereon and then retired.

Clauses 5, 6, 7 and 8 were severally discussed and agreed to.

On clause 9

Mr. Albert Downs was called. The witness was questioned at length on the said clause. Certain questions thereon were also asked of Mr. Matthews and Captain Kerr.

Mr. Herridge moved,

That clause 9 be amended by adding to paragraph (a) of section 107A contained therein, after the word "motors", in line 32, page 7 of the Bill, the following:

"over five horse-power".

A debate arising thereon and the question having been put on the proposed amendment of Mr. Herridge, it was resolved, by a show of hands, in the negative, on the following division: yeas, 8; nays, 17.

The said clause was finally agreed to.

Mr. Downs was retired.

Clauses 10 to 14, both inclusive, were severally discussed and agreed to.

On clause 15

On motion of Mr. McCulloch, it was

Resolved,—That the said clause be amended by adding to section 276A contained therein, a new sub-section, as follows:

(6) This section does not apply to United States ports on the Great Lakes or river St. Lawrence.

The said clause, as amended, was agreed to.

Clause 16 was agreed to.

At 1.00 o'clock p.m., the Committee adjourned to meet again at 3.30 o'clock p.m.

AFTERNOON SITTING

The Committee resumed at 3.30 o'clock p.m. The Chairman, Mr. L. O. Breithaupt, presided.

Members present: Messrs. Adamson, Bourget, Breithaupt, Byrne, Carroll, Carter, Chevrier, Darroch, Dewar, Gillis, Gourd (*Chapleau*), Green, Harrison, Hatfield, Herridge, Higgins, Jones, Jutras, Lafontaine, McCulloch, McIvor, Nixon, Pearkes, Robinson, Rooney, Thomas, Thomson, Whiteside. (28).

In attendance: the same persons as are listed at the morning sitting, with the exception of Mr. Downs.

The Committee resumed consideration, clause by clause, of Bill No. 303 (Y-8 of the Senate), An Act to amend the Dominion Shipping Act, 1934.

Messrs. Matthews, Young, Caton were questioned on the various clauses under study.

Clauses 17 to 35, both inclusive, were severally considered and agreed to.

On clause 36

A debate arising thereon and continuing, Mr. Green moved,

That the clause be amended by adding thereto a new sub-clause, as follows:

Paragraph (a) of sub-section (2) of section 406 of the said Act, is amended by substituting "from the point of commencement to the farthest outward point", for "from one place to another place", wherever the latter words appear in (i), (ii) and (iii) thereof

And the question having been put on the proposed amendment of Mr. Green, it was resolved, by a show of hands, in the negative, on the following division: yeas, 7; nays, 17.

The said clause was finally agreed to.

Clauses 37 to 63, both inclusive, and the Schedule to the Bill, were severally agreed to.

By unanimous consent, the Committee reverted to clause 1. Mr. Frank Wilkinson, K.C., was called. The witness made certain representations on behalf of the Dominion Marine Association in respect to the definition of passenger under sub-clause (11) of clause 1.

On motion of Mr. Rooney, it was

Resolved,—That sub-paragraph (b) of paragraph sixty-two of section two of the said Act be amended by adding to (i) after the word “crew” in line 8, page 3 of the Bill, the following: “or a person employed or engaged in any capacity on board the ship on the business of that ship.”

Clause 1, as amended, was agreed to.

Mr. Wilkinson was retired.

The preamble and the title of the Bill were severally agreed to and the said Bill, as amended, ordered to be reported to the House.

At 5.00 o'clock p.m., the Committee adjourned to the call of the chair.

ANTOINE CHASSÉ,
Clerk of the Committee.

REPORT TO THE HOUSE

The Standing Committee on Railways, Canals and Telegraph Lines begs leave to present the following as an

EIGHTH REPORT

Pursuant to the Order of Reference of Monday, June 19, your Committee has considered Bill No. 303 (Letter Y-8 of the Senate), intituled: "An Act to amend the Canada Shipping Act, 1934," and has agreed to report same with amendments.

A copy of the Minutes of Proceedings and Evidence is tabled herewith.

All of which is respectfully submitted.

L. O. BREITHAUPT,
Chairman.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

WEDNESDAY, June 21, 1950.

The Standing Committee on Railways, Canals and Telegraphs met this day at 11.30 a.m. The Chairman, Mr. L. O. Breithaupt, presided.

The CHAIRMAN: Gentlemen, we will proceed with the consideration of the bill. We were considering clause 5 when we adjourned last night.

Mr. ROBINSON: Mr. Chairman, before we proceed with clause 5 I believe that either you or the minister mentioned yesterday that you had received a communication from the Dominion Marine Association. Their representatives are here this morning and I think they are concerned with the definition of "international voyage." I wonder if we might, by consent of the committee, revert to subsection 10 of section 1, in order that we might hear the representations from this association. Mr. Donovan and Mr. Wilkinson are here for that purpose.

The CHAIRMAN: Is it the wish of the committee that we revert to sub-clause 10 on page 2 at this time?

Agreed.

Would you come forward please, Mr. Donovan?

H. R. Donovan, Secretary, Dominion Marine Association, called:

The WITNESS: Mr. Chairman and gentlemen: I need hardly remind the committee that the Canada Shipping Act which this bill would amend, together with the Safety of Life at Sea Convention, are very important pieces of legislation as far as lake shipping is concerned.

We have had considerable negotiations with the honourable minister and his officials and I think that on the matter of the definition of "international voyage" we are probably pretty well agreed as to what it means. Our concern is that if this rigid definition set down in the convention applies as it does to lake shipping, it may adversely affect lake shipping and may certainly involve certain inconsistencies which we do not think are right, and which perhaps can be corrected by the present amendment; perhaps correction may require amendment of the convention itself.

As I understand the situation, a ship loading at Corner Brook, which is on the west coast of Newfoundland, and bound for Port Colborne is not a convention ship. The convention does not apply to such a ship as she is on a home trade voyage in Canadian waters. However, a ship loaded at Corner Brook and destined for Buffalo, just across Lake Erie from Port Colborne, immediately comes under the convention as that is an international voyage. It seems very inconsistent to us that the fact that it is an international voyage should interfere, because there is no more danger in going from Corner Brook to Port Colborne than there is in going from Corner Brook to Buffalo. If I am correct in what I say, we think that the Act at the present time or at some future time should make provision for such voyages.

Also might I point out the fact that this rigid definition of international voyages creates a hardship on American ships—United States ships, ships of

United States registry—and we have always worked very closely with our American friends. Generally speaking we have regarded any regulations applying to Canadian ships as applying equally to ships of United States registry.

That is the first point I wish to make and the second point is while there in the convention a clause reading: "Notwithstanding any provisions of the present regulations, nothing herein shall apply to ships solely navigating the Great Lakes—"

Mr. GREEN: What page is that?

The WITNESS: I am reading subparagraph (b) of regulation 3, on page 46. "Notwithstanding any provisions of the present regulations, nothing herein shall apply to ships solely navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal at Montreal in the Province of Quebec, Canada."

I would just like to point out to the committee, and I have already pointed out to the minister, that the Lakes Carriers Association, which is an association of lake vessel owners in the United States, and the Dominion Marine Association asked that this clause be put into the convention for this reason. There are a number of sets of rules of the road applying to Canadian waters, as you probably know. We have our own particular set of rules of the road applying on the Great Lakes. Those rules do, at the present time—and always have—apply to the entrance to the harbour of Montreal and the Lachine canal. When you get into the harbour of Montreal you are under international rules. I think it might be well to point out to the committee that really should have no bearing on the question of international voyages, because it might be assumed anything beyond the Lachine canal was an international voyage, and that is not so.

I think that is all I have to say on the question of international rules.

May I repeat again that a voyage from Corner Brook to Port Colborne does not come under the convention, but if that voyage goes across the lake to Buffalo, it immediately becomes an international voyage and does come under the convention. That seems to us to be an inconsistency and it seems to us also to be discriminating against lake vessels of the United States flag.

By Mr. Green:

Q. Is not that exactly the same position as we have on the Pacific coast where a ship might go from Vancouver to Victoria and be under the Canadian regulations only, but if it were to go to Seattle, that would constitute an international voyage?—A. I am not competent to answer the question sir, but I assume your statement is correct.

Q. You are really asking that there be no international voyages this side of Newfoundland?

Hon. Mr. CHEVRIER: That is right.

By Mr. Green:

Q. That is what you are really asking for?—A. What we are asking is that the definition of international voyages be re-defined so that ships engaged in the lake trade from Canadian ports to American points shall not be discriminated against.

Q. You are really asking that there be no international voyages this side as they are in the Great Lakes, that they be given an exemption when they get right out with the ocean ships?—A. At the present time they are exempted to a line from Cap Des Rosiers across Anticosti Island. When they go beyond there, and there is considerable traffic such as I mentioned from Corner Brook and traffic for coal from Cape Breton, and that traffic comes under the convention and would have to be exempted from the convention definition of international voyages.

Hon. Mr. CHEVRIER: I think I indicated yesterday, in answer to a question put by Mr. Robinson, what the position was, and I have tried to cover it in the correspondence which I have had with Mr. Donovan. The effect of the Act, read in conjunction with the convention, is now to exempt from the operation of the International Safety of Life at Sea Convention all ships operating from a point at the western tip of Anticosti Island to the upper end of the Great Lakes—so that ships plying between those two points are not subject to the regulations of the convention. Mr. Donovan comes forward and asks about a ship operating from Corner Brook, Newfoundland, to an American port. That position is not covered, and even if we were to make an amendment here, we could not change the convention because the convention has been agreed upon. If it is desirable to change the convention it can be done in two ways. The first is by granting an exemption to a ship such as that mentioned by Mr. Donovan, and the second is by making representations to the United States to amend the International Safety of Life at Sea Convention.

The same position has existed since 1929 because the wording of the 1929 convention was pretty much the same and no difficulty arose. I am satisfied that no difficulty will arise now. We certainly do not want to make our ore ships subject to the Convention—for instance those travelling from the Seven Islands port which is under construction. If ore should come to that point, there is certainly no intention of making those ships subject to the international convention, any more than there would be to make them subject to the convention if they were travelling from Corner Brook. I think the answer I gave to Mr. Donovan in the correspondence which I have had with him meets the situation.

Mr. ROBINSON: Is not Seven Islands west of Anticosti?

Hon. Mr. CHEVRIER: Yes. The position would be the same with reference to anything east of the Anticosti.

The WITNESS: If I might reply to the honourable minister's remarks we want to go on record that the convention itself should be changed so that the trading limits can be extended within a reasonable distance of the present inland waters—a line through Cap Des Rosiers through Anticosti Island. We do not like having to apply to the minister for exemption. As ship operators we do not like exemptions and I know the minister does not like to deal with them. Frequently they cause embarrassment. As long as we are within our rights in having the limits extended I think it should be done either by amendment to the present Act, or, as the minister suggests, to the convention itself.

I just want to go on record on that point dealing with international voyages. I think the minister and I, and the Dominion Marine Association are in agreement on the point.

The CHAIRMAN: As the minister has pointed out we cannot change the convention unless we do it in one of the ways suggested. Therefore, I do not think there is anything we can do at this point except to report your position.

Hon. Mr. CHEVRIER: Mr. Donovan wants to be on record as requesting an amendment. We know what the position is and in due course we will make representations on it.

By Mr. Adamson:

Q. What products are involved there?—A. Pulp and paper one way, and coal the other.

Q. Do they come all the way to Port Colborne?—A. I am not saying that they go from Corner Brook to the Great Lakes all the time but there is considerable traffic between Corner Brook and the Great Lakes and the river St. Lawrence.

The CHAIRMAN: Shall we revert to clause 5 which was under consideration last night?

Hon. Mr. CHEVRIER: Mr. Robinson was asking questions last night.

Mr. ROBINSON: I would like to ask Mr. Matthews some questions now. I take it, Mr. Matthews, that the purpose of this new section 21A is to exclude from Canadian importation and Canadian registry ships which are not built in Canada.

Mr. MATTHEWS: Well I do not think it goes that far, Mr. Robinson; I think it gives the minister a discretion.

Mr. ROBINSON: It gives the minister a discretion to refuse such ships?

Mr. MATTHEWS: To refuse registration.

Mr. ROBINSON: Why would that be desirable?

Mr. MATTHEWS: The minister pointed out yesterday that importation of old and obsolete ships of the United States was not a good thing for Canadian shipping and it should be prevented. That is the purpose of this section.

Mr. ROBINSON: Would it also have a purpose in assisting shipbuilding in Canada?

Mr. MATTHEWS: I think it would.

Mr. ROBINSON: Then I would like to develop that a little further. I understand one of the privileges conferred by Canadian registry is the right to engage in our coastal trade, is not that correct?

Mr. MATTHEWS: That is so. Any British ship, however, can engage in the coastal trade of Canada—that is under the Merchant Shipping Agreement of the British Commonwealth.

Mr. ROBINSON: Yes, of course, but a ship of American registry cannot engage in coastal trade?

Mr. MATTHEWS: That is right.

Mr. ROBINSON: But, up to now, an American ship could be transferred to Canadian registry and then ply between our ports?

Mr. MATTHEWS: Yes, that is correct.

Mr. ROBINSON: Under this section that type of thing could be prevented—if the minister exercised his discretion?

Mr. MATTHEWS: I think that is so.

Mr. ROBINSON: I might say that I hope the minister does exercise his discretion, because over 50 per cent of the upper lake freighters are old American vessels. I think it would be extremely helpful if he kept some of those off the lakes.

Hon. Mr. CHEVRIER: That is why I want the discretion.

Mr. GIBSON: Class legislation.

Mr. ROBINSON: The privilege, as you have said before, of engaging in coastal trade is not limited to ships of Canadian registry; ships of British registry under the Commonwealth Merchant Shipping Agreement also have that privilege?

Mr. MATTHEWS: That is right, Mr. Robinson.

Mr. ROBINSON: I wonder if you would explain the distinction, if there is any distinction, between British built ships of British registry, and foreign built ships of British registry?

Mr. MATTHEWS: A foreign built ship of British registry would have to pay the duty of 25 per cent and take out a licence before being entitled to engage in coastal trade. A British built ship is entitled to engage in coastal trade at any time.

Mr. ROBINSON: After getting a licence?

Mr. MATTHEWS: It would not have to pay any duty.

Mr. ROBINSON: It would not have to pay any duty but it would have to get a licence?

Mr. MATTHEWS: I am not sure of that.

Mr. ROBINSON: What I am trying to get at is whether there is anything in this connection which would prevent the transfer of an old American hull to Australian registry and then bringing it into Canada to engage in our coastal trade?

Mr. MATTHEWS: That would depend upon the laws of Australia. I do not know what their laws are but if a ship could transfer to Australian registry and become a British ship—registered in Australia—I should think it might be entitled to engage in coastal trade.

Mr. ROBINSON: Then this section as it is presently before us would not, if our assumption of Australian registry is right, prevent these old American bottoms coming into Canada to engage in the coastal trade?

Mr. MATTHEWS: No. They, of course, would have to pay the duty of 25 per cent.

Mr. ROBINSON: In other words, to protect Canadian shipping and Canadian ship-builders in that respect we would require some sort of absolute prohibition and not a discretionary clause such as this.

Mr. MATTHEWS: I think that is correct. If you are going to regulate the coasting trade, you should have a definite prohibition to that effect.

Mr. ROBINSON: We must have it?

Mr. MATTHEWS: I would think so, yes.

Mr. ROBINSON: Thank you.

Mr. MATTHEWS: We would have to change part of the Act which deals with the coasting trade.

Mr. GREEN: This new section 21-A would not apply to shipping of British registry.

Mr. MATTHEWS: It applies to any ship built outside of Canada.

Mr. GREEN: It would not stop a ship of British registry being engaged in Canadian trade?

Mr. MATTHEWS: No, it would not stop it. That is true.

Mr. GREEN: But would it stop a Japanese ship being purchased and used in Canada?

Mr. MATTHEWS: Yes, it would give the minister a discretion to stop it.

Mr. GREEN: But because of other provisions of the Act it would not stop a British-built ship from being used in the coastal trade?

Mr. MATTHEWS: I think that is correct.

Mr. GREEN: For example, such as the Canadian Pacific passenger ships which are used on the Pacific coast?

Mr. MATTHEWS: Yes. They could still be used. But I think they are registered in Canada.

Mr. GREEN: They are all registered in Canada?

Mr. MATTHEWS: That is right.

Mr. GREEN: How would this work? Will the minister give his consent before a ship is purchased? He really would have to, because no one would want to buy a ship and then find out afterwards that he could not use it.

Mr. MATTHEWS: I think that would be right; I think that the minister's feelings in the matter would have to be ascertained by a prudent purchaser.

Mr. GREEN: The minister would have to give his consent before the ship was bought?

Mr. MATTHEWS: I would think so.

Mr. GREEN: It is really a new policy, is it not?

Mr. MATTHEWS: Yes.

Mr. GREEN: Quite a far-reaching policy?

Hon. Mr. CHEVRIER: A good policy!

Mr. GREEN: I am not quarrelling with it, but I think it might be wiser to have the limits of it defined. Has consideration been given to setting out the policy in more detail?

Hon. Mr. CHEVRIER: It is rather difficult to do that until we have the application before us. I am only able to get from other sources the number of ships that come into Canada in this manner and until I have a list, or until the officials have a list, whether there be 500 or 100, it is pretty difficult to do otherwise than to give ministerial discretion. And that discretion should be exercised, as I intend to exercise it, in connection with old hulls being imported into this country certainly at a faster rate than is good for the industry or than is necessary.

Mr. GREEN: And new ships would be even a worse problem if they can be produced cheaper in the States than it would cost to build them in Canada.

Hon. Mr. CHEVRIER: That problem at any rate is not envisaged at the moment because of the cost of construction of American ships being somewhat higher than the cost of construction of Canadian ships, although that position might not always obtain.

Mr. GIBSON: Mr. Chairman, to me this is a far-reaching section. I can see how the minister will be snowed under with discretionary decisions which he will have to make. Perhaps a decision which it would be valid for him to make in relation to lake shipping would not apply equally to the Pacific coast. And yet I can foresee operators saying to him: you have allowed this type of importation in British Columbia but you have not allowed it to us. I think the Parliament of Canada has set up certain safeguards. We are not trying to legislate to protect shipyards or ship owners. We are trying to treat them both fairly. We first insist that a ship owner must pass inspection before he can operate his vessel, and in addition he must pay the 25 per cent duty. I think there ought to be an appeal board. No minister that I know of would want to set himself up in a position where he is the final authority. Even ministers may feel that they might be wrong sometimes. So I think there should be some place where we could go by way of appeal; perhaps it might be to the Maritime Commission.

Hon. Mr. CHEVRIER: The committee which was established to deal with this matter has given it very careful consideration. I think it would be a mistake to submit a matter of this kind to an appeal board. After all, in my opinion, it is something which should be done. I do not think that the industry or the people of this country want ships of old vintage to continue to come into Canada and to the Great Lakes. And that being the case, I feel that this section should pass as it is.

The CHAIRMAN: Does the section carry?

Mr. MACGREGOR: Mr. Chairman, if we are afraid of the old ships coming in, why do we not say so?

Hon. Mr. CHEVRIER: It is not only a question of old ships but it might also be a question of new ships. It is a question of all ships built outside of Canada.

Mr. MACGREGOR: The whole thing means that if a man wants to buy a ship outside of Canada and to bring it in here, he must get permission from the minister.

Mr. MATTHEWS: To register the ship.

Mr. MACGREGOR: And if the minister sees fit to give him that permission, then he can do so.

Hon. Mr. CHEVRIER: That is right.

Mr. GILLIS: I do not think that this clause is very far-reaching. I think it is a step in the right direction.

Mr. ROBINSON: But it does not go half far enough.

Mr. GILLIS: I have no doubt that the minister has very competent people to consult in the event of his having to make a decision. I do not think he would make a decision on his own without having all the facts before him. I think this clause does afford some protection, but it certainly does not protect our own Canadian Merchant Service, because the competition we are up against in our coastal trade is with ships of British registry and not with ships of American registry. The American ships will never give us much difficulty because their wage rates are higher and it would be more costly to use them in our coastal trade. But the British wage rates are perhaps half of these of the Canadian merchant service. So the threat to most of our coastal trade has been from British ships. This clause does not go far enough. It does offer some protection to Canadian people against bringing junked and old decrepit hulls into our shipping trade. It will do that, and it will afford some protection for the ship-building industry. But I would like to see it go further. I believe the minister told us yesterday that without an amendment to the Commonwealth Agreement it could not be done. But I think it should be changed and I think that British ships should be considered as foreign ships. I think Canada is one country which could build up a good merchant service of its own, but we cannot do so under these conditions. However, I do not see anything wrong with the clause as it is. I think it is an initial step in the right direction.

Mr. ROONEY: Mr. Chairman, a question just comes to my mind. I think the minister mentioned that the cost of building new ships in America would be higher, and that they would not compete. But what about Japan?

Hon. Mr. CHEVRIER: This prohibits importation of Japanese ships.

The CHAIRMAN: I think that point was covered in a previous question. Shall the section carry?

Mr. GREEN: Has any thought been given to making the prohibition more definite and then providing for an appeal to the minister? The way it is now the power to stop is rather loosely given, and at least the prohibition against these ships coming in is not very definite. I think it would be better to make it an out and out prohibition subject to appeal to the minister. As it stands now the minister would have to deal with every single case.

Hon. Mr. CHEVRIER: The position of the minister under this section is not different from the position of the minister in connection with exemptions under the safety regulations, such as steamship inspection. There is a special clause in the Canada Shipping Act, I think, which provides for exemption on certain trips, under the Act. It is a discretionary power and not subject to appeal. Otherwise there would never be any finality, or perhaps the finality would take too long.

Mr. GREEN: I would make it a definite prohibition with an appeal to the minister.

Hon. Mr. CHEVRIER: Our people have given this problem pretty careful consideration and I hope we can pass it in the way in which it stands.

Mr. HATFIELD: American ships are not able to enter into coastal trade between Canada and United States ports at the present time. They are prohibited, are they not?

Hon. Mr. CHEVRIER: Yes, they are.

The CHAIRMAN: Does the section carry?

Carried.

Section 6 "Tariff of Fees".

Mr. GREEN: I wonder if the minister would explain why they are charging these fees?

The CHAIRMAN: That is in respect to section 6. Perhaps Mr. Matthews would cover it.

Mr. MATTHEWS: There are no fees now for these services which are given by the Department of Transport. Newfoundland, however, before coming into Confederation had a tariff of fees and we think it is only fair that the expenses involved should be partially covered by people transferring and registering ships. We think they should pay some fee for that service. Every registry office in the country charges fees, but up to now we have been giving this service for nothing. I think that ship owners are well able to pay a fee.

Mr. HIGGINS: What would be the comparison between the fees charged in Newfoundland and the ones proposed here?

Mr. MATTHEWS: It has not been worked out.

The CHAIRMAN: Does section 6 carry?

Carried.

Section 7 "Repeal".

Does section 7 carry?

Carried.

Section 8 "Fees and Travelling Expenses".

Mr. GREEN: That is the one which provides for surveying ships. Is it permissible for government employees to do this surveying and in that way to collect fees quite outside their regular remuneration?

Mr. MATTHEWS: No. That is not permissible.

Mr. GREEN: But has it not been done?

Mr. MATTHEWS: I understand that a government employee is paid his salary and that he may collect his travelling expenses and that is all. He is not entitled to charge fees in respect to this surveying. But if the work is done by a classification society surveyor that is different. In that case he is not working for the government, and he can charge fees and keep them.

Mr. GREEN: It is not possible for the government employee to keep this extra money?

Mr. MATTHEWS: No, that is not possible.

The CHAIRMAN: Does section 8 carry?

Carried.

Section 9 "Regulations by Governor in Council". I think we want to hear from Staff Sergeant Albert Downs of the R.C.M.P. in connection with this section 9.

Staff Sergeant Albert Downs, Headquarters sub-division, R.C.M.P., called:

The WITNESS: Mr. Chairman, and gentlemen, I have been requested to appear on behalf of the Royal Canadian Mounted Police at the request of the Department of Transport just to give some outline of the degree of assistance which the Force, at the request of the department, has been trying to give the department in the enforcement of the Canada Shipping Act, and more particularly, the regulations having to do principally with the smaller type of power boat operated on the inland waters and adjacent to the coasts of Canada.

This assistance has been rendered since 1936. There was a considerable cessation during the war period for reasons that you will understand but since the close of the recent hostilities our endeavours have again been widened. Perhaps I might explain first that the duties that we are carrying out fall under four main headings:

(1) to see that motor vessels which are under ten tons, and therefore are not required to be registered, are licensed as required by the Act, the licence being issued by the nearest customs collector or subcollector;

(2) to see that such small boats carry the minimum requirements in life saving equipment;

(3) that they have the minimum requirements in fire-fighting equipment; and (4) to regulate or to prevent the dangerous speeding by these small motor boats on inland water which by so doing create a dangerous hazard to other small vessels and even to children and others who may be using bathing beaches on the inland waters.

As far as the first three headings are concerned, our efforts have been, with the concurrence of the department, very largely educational rather than punitive, excepting in very flagrant cases. The general approach has been to advise owners of these small vessels of the minimum requirements and the fact that they should be licensed, and usually with the provision that our patrols will return at a later date to see what has been done to correct the situation. Without checking records I feel quite safe in saying, subject to any opinion which may be expressed by other departmental officials present, that the degree of educational effort as against punitive measures can be shown, by the fact that in all the investigations which have shown that the regulations have not been fully complied with, there have been punitive measures taken only in one-half of one per cent of the cases investigated. I believe it is even less but I feel quite sure in saying that.

In the last category, which has to do with enforcing the regulations where operators of small speed boats are found to be operating at excessive speeds or in a manner which endangers the life or safety of other boats or persons, the educational need is not quite so strong because obviously where it has been a flagrant case it often calls for sterner action. However, unless it is a flagrant case, again warnings are given before any consideration is given to prosecution. There is just one point that I believe I would be expected to speak on, gentlemen, and that is that in the clauses which you will study which are really only a re-emphasis of existing legislation, in the form of regulations requiring that these small vessels be licensed and in addition that the minister may decide the type of identification mark which shall be painted on the exterior of these vessels. It has been our experience that very often on these occasions where people are operating in a dangerous manner are reported to us by others who are suffering as a result, or sometimes by observations of our own patrols, on land, and more often by the master or

crews of our patrol vessels. It is frequently impossible to stop a vessel as you would a car on the road, and for the purpose of positive identity it is almost essential that there be some mark whereby as a result of our observations, either with binoculars or by visual observation a boat can be checked, as it could be with this arrangement, at the local port of licensing to ascertain the name of the owner and his address. Police investigation would follow from there to see who was operating the boat at the time of the incident alleged. We find it very difficult, particularly in areas where there are many motor boats operating as, for instance, in the vicinity of the Thousand Islands in the St. Lawrence and in the Detroit River and other places where many hundreds are sometimes operating at one time. They are all very similar in outline and without some provision in the way of markings whereby that boat and its owner can be identified the enforcement would be difficult if not impossible.

I think that is all that I have to say, but if there are any points upon which I might be able to render further assistance I will be glad to do so.

The CHAIRMAN: Mr. Downs, you have not mentioned running lights on these small boats. That is one of the greatest hazards where there are a great many small boats operating. A great many accidents occur from the fact that these small boats do not carry lights. Is there anything being done to check that?

The WITNESS: We are checking that, sir, because that is at the present required. Infractions under that heading are very much less than under the other headings I have mentioned, for instance, operating without the minimum requirements for life saving and fire fighting and failing to license and dangerous speeding, but we do cover that and we agree that that is a very necessary requirement particularly in cases where many boats are operating in close waters.

The CHAIRMAN: Any questions?

Mr HODGSON: There are many tourists coming to Canada who bring their own outboard motors with them. Where would the responsibility lie? On the man who owned the motor or the man he rented the boat from?

The WITNESS: I believe, sir, the supervisor of nautical services could answer that. We have raised that question because we have run into it in enforcement. A man will rent a boat and the customer provides his own outboard motor. The question did arise as to where responsibility would rest, viz., on the man who put the outboard motor on the boat or the man who provided the boat. I am not too sure that that has been definitely ruled upon by the department, but the supervisor of nautical services would be able to answer that, I believe.

The CHAIRMAN: We shall, however, continue with Mr. Downs for the moment.

Mr. HERRIDGE: After listening to Mr. Downs I might say that I have not been acting in conformity with the law. I am quite sure that many people know nothing about licensing a boat under ten tons. I have used for a long time a boat just under ten tons and as I understood it when there is no steamship inspection nothing else is required. I would like to know what the law is now with respect to registration of boats of ten tons. What is required?

Captain KERR: For those under ten tons, if not registered they should be licensed under the Act.

Mr. HODGSON: We have a lot of tourists who come in and they bring in their own motors.

Captain KERR: We have had that matter under consideration. We have been wondering, however, if it is practical for the owner of a tourist resort with boats available for hire with outboard motors and for the use which the honourable member has in mind could be marked in the way we are speaking of for the purpose of identification. I may say that marking of vessels and licensing is not new. We have over 61,000 vessels in Canada already licensed. That number of boats has complied with the Act and they are required to mark their vessels with the name on the bow and the stern.

Mr. ROBINSON: Where is the authority for that?

Captain KERR: Section 106 of the Act.

Mr. ROBINSON: That seems to refer only to boats engaged in fishing, trading and carrying loads.

Mr. MATTHEWS: Section 107 is the more important section. Both sections refer to it but section 107 is the more important one.

Captain KERR: During the past few years the number of vessels licensed has been gradually growing. What we are suggesting is to simplify the marking system for identification purposes.

Mr. HODGSON: There are thousands of boats in my part of the country and they have no marks.

Mr. GREEN: Does that mean that you want authority to make every boat using an outboard motor take out a licence?

Hon. Mr. CHEVRIER: No.

Mr. GREEN: Where is the line drawn?

Hon. Mr. CHEVRIER: Wait. On that point, it is obvious that if that were done there would be chaos. At the moment, as I understand it, there is a section which has just been referred to covering the licensing of boats. Because of the fact that that section, if put into effect in accordance with this strict interpretation, would make life miserable for a person operating an outboard motor of one and a half horsepower, the provisions of the Act have been enforced in the manner in which Mr. Downs has explained, namely educational. It has been pointed out to some owners from time to time that they are not licensed; and there is no provision for a penalty. Now, what is sought here is the power to make regulations. As I explained in the House we have not a Motor Boat Act in Canada; we have not arrived at the point where we thought there should be one; but we are giving that some thought, and we have thought the way in which to give it some thought is to get the power to make regulations and to try out the regulations and to see how they work. There will have to be a dividing line some place as between a man owning a vessel of nineteen or twenty feet in length and one having a punt and putting on it an outboard motor of one and a half, two, three, or four horsepower. The intention of the regulations is not to cover a boat of that kind. Where to draw the line I do not know, and I do not think there is any definite opinion on that. There cannot be until we start getting the thing into operation. What we want is the power to draft regulations. Where we will draw the dividing line I do not know. We will have to decide that in accordance with the experience which our officers obtain over the course of time. I would say however, that it is clearly not the intention to cover a case such as I have mentioned of a person with a small outboard motor and, on the other hand, it is clearly the intention to cover the case of an individual having a boat with a high powered outboard motor in which he could travel at high speeds and cause injury to other craft of the same nature in inland waters and also cause injury to children and others who might be on the beaches bordering those waters.

Mr. GREEN: Mr. Chairman, I suggest to the minister it would be wise then to provide for regulations to cover the cases which he obviously wants to get at and not to take a blanket power such as is being sought in this amendment which enables him to license every outboard motor in Canada. I think that is going much too far, and if the department has made up its mind as to the people it is after, well, let it restrict its powers to those people and then if it is found later on that the Act is not wide enough, the Act can be changed, but just taking a blanket power, as the minister was saying, not knowing to whom he wants to use it against, to me is just going much too far.

Mr. GILLIS: Mr. Chairman the minister's explanation would be all right provided the minister was trying to enforce it but as I see it this is a new section providing for the licensing of outboard motors without deciding what the range of horsepower is going to be and that puts you in the same position as you are with a motorcar. Every outboard motor according to these regulations, which are new, must have a licence. These regulations are going to be looked at and enforced by the R.C.M.P. and the R.C.M.P. in a good many of the provinces are working under the provincial attorney general. This thing here looks like enforcing regulations without regard to the size of the horsepower of the motor involved, that they should all be licensed regardless of horsepower in order to be able to enforce it. Then, again, in passing this clause you are invading the field of provincial jurisdiction. I think it is rather wide open myself and I was really wondering if you should not write something into the regulations which would provide that a boat over a certain size should be registered, let us say based on the horsepower of the motor or the launch or something like that. As it is there now you are going to take in the $\frac{1}{2}$ horsepower engine of an outboard motor, they will have to have a licence for that boat the same as for their car. I think it is rather tangled up.

The WITNESS: Mr. Chairman, might I just explain one point there that the R.C.M.P. working in the provinces work under contract with the provincial government but their responsibility is not to the attorney general of the province in so far as federal statutes are concerned.

Mr. JONES: Mr. Chairman, how is this going to affect regattas which are such an important feature at so many places throughout the country? When you hold an annual regatta, as you all know, for months before it is necessary to have these speed boats carrying out practice runs to find out what they can do, and that sort of thing, and boats equipped with outboard motors come in from many outside places such as Spokane, Seattle, and points of that kind. For a long time now we have been trying to encourage them to attend our regattas and in doing so we have also tried to encourage safety measures, and so far as I can remember there have been no serious accidents for a good many years past because of the safety measures and precautions which have now become established pretty much as a matter of custom. We have been able to build up a sort of code of safety which seems to be working out most successfully and it would handicap our work a great deal if we had to have this licensing provision enforced, not with respect to the licensing itself so much as the regulations governing speed and so on which would have an important bearing on our annual regattas.

The WITNESS: To reply to the point just raised by Mr. Jones with respect to annual regattas may I say that we are not called upon by the department to enforce regulations or restrictions as to speeding at regattas but rather to keep other persons away so that they will not come to harm. At regattas and water sport events of that kind it is usual for us to have additional staff present to keep other craft away in order to prevent accidents.

Hon. Mr. CHEVRIER: Let me clear up a little point. I understand from what the officers of the department tell me that there is nothing in this section which would interfere in any way in so far as regattas are concerned.

Mr. JONES: But it is not actually the regattas themselves which give rise to our concern but rather the fact that anyone entering a boat in an event of this kind would want to know what it could do and so would be trying it out for maybe four or five or six weeks before the holding of the actual regatta, and during that time they would be trying their boat out at the different speeds. Frankly, if you were to exclude certain areas, or set aside certain areas and deal with those places and license them I think that would be all right.

Mr. CARROLL: This section would not appear to me to give the minister any power which he did not already have before the convention. A ship under the definition section of the Act includes every description of vessel used in navigation not propelled by oars. Then, section 107 would make provision for the licensing of ships which are exempt from measurement and registration, referring to this class of small ships. Therefore, this new section 107A which provides for the licensing of vessels equipped with detachable motors does not seem to me to add anything to the powers of the minister.

Hon. Mr. CHEVRIER: That is right.

Mr. CARROLL: Why especially outboard motors?

Mr. MATTHEWS: The section is put in there to change the system to provide for the licensing of certain boats and certain other small craft equipped with detachable motors. In this connection the committee might be interested in knowing that under the Motorboat Act in the United States all craft over a certain length are required to be certificated and numbered and they have half a million such vessels in the United States which are numbered and licensed.

Mr. JONES: Is it licensing for the purposes of revenue?

Mr. MATTHEWS: No, it is not licensing for revenue purposes, it is for identification purposes only.

Mr. HERRIDGE: Would every owner of an outboard motor have to have a name on his boat?

Mr. MATTHEWS: No, there are certain provisions.

The CHAIRMAN: No, that is standardized under the code.

Mr. MATTHEWS: Yes, there is a standard code.

The CHAIRMAN: And the purpose is to provide uniformity in application. You will see more about that a little further on.

Mr. MATTHEWS: I think the regulation should cover that.

Mr. GARLAND: Mr. Chairman, I would like to ask a question.

The CHAIRMAN: Sorry, I didn't see you before, Mr. Garland.

Mr. GARLAND: The R.C.M.P. have the enforcement of this regulation; what position do they take as it affects small boats?

Mr. MATTHEWS: I think Sergeant Downs might better speak for the R.C.M.P. on that. Do you recommend on behalf of the R.C.M.P. that all these small craft be marked?

The WITNESS: In order to have enforcement it is essential that they should all be marked. I do not see otherwise how you would be able to enforce the regulations because you would have no positive way of identifying a boat against which a complaint was made, and for purposes of identification it is highly important that they should be clearly identified by marking.

Mr. GARLAND: Mr. Downs is here as an enforcement officer representing the enforcement of the law or the legislation. However, I doubt the necessity of this clause as it affects small craft of the small tourist operators who operate at various places throughout the territory in which he may be working. In itself this clause appears to be very innocent looking. The officer said that prosecutions have been less than one-half of one per cent. This licensing is,

I think, for the purpose of being able to enforce regulations. I know that camp operators in my area have been visited and chaps with very small boats are being told that they are required to put in life-saving equipment and fire fighting equipment and so on. The licensing, as I see it, is for identification purposes so that the R.C.M.P. can enforce this regulation. I know many camp operators—and I am sure many members here who come from areas where there is no tourist development understand the point I am making. A camp operator may have his boats dotted throughout the area and it would be impossible for him to keep fire fighting equipment in this small boat which he, perhaps, uses once or twice a week. They are kept out in the woods or drawn up on the shore. It would be impossible I suggest for the operator to do this. Apart from the nuisance value it also will present trouble in Ontario if that man has to keep fire fighting and life-saving equipment in every little boat which he may be using in his operations. If that is the purpose here—although it does not say so—the licensing will lead to the enforcement of this regulation and that is the part I object to, and I speak for many operators in our district who have come to me about this matter of the enforcement of the fire fighting and life-saving regulations.

In our district, which is a small one, we take in \$5 million of tourist money every year and we are naturally anxious to get every dollar of that kind we can.

Mr. NOSEWORTHY: Mr. Chairman, do I understand that this section 107 provides for the licensing and so on of all boats carrying outboard motors, is that the purpose?

Mr. MATTHEWS: It merely provides for the making of regulations. The regulations have not been made and they will be very carefully considered before they are made. There will be certain boats equipped with detachable motors which will be licensed and others which will not require to be licensed. That will all depend on what studies the department is able to make.

Mr. NOSEWORTHY: That is what I had in mind.

Mr. HERRIDGE: Mr. Chairman, I just want to say in principle that I agree with this section and I have had some experience in boats of various types, outboards too. The only thing I would suggest is that it might be wise to add some provision in there with respect to the power of the outboard motor which is directly related to its speed potential. You get a high speed outboard motor of high horsepower and it can travel very fast. I was pleased to see here reference to life-saving requirements and fire fighting requirements because in this country you have tourist operators going out in boats and I think any boat that is rented out should be safeguarded in those particulars at least with fire and life-saving equipment. I see a great many small launches going out frequently without any provision in the line of life-saving equipment or adequate fire protection and I know of a good many near disasters where boats just did not have anything in the way of adequate protection at all. A lot of people who go out in these small launches, particularly those who rent them, are very careless just because there are no regulations. I am all for the regulation. I am in the habit of fooling around on the lakes and one of the big bugbears that I have come across is the chap with a high-powered outboard motor racing up to 40 miles an hour, particularly at night without running lights. I am in favour of regulation of that sort of thing. I think it is a good thing and that additional protection should be given to the public. I think the public should be protected from launches with outboard motors, particularly high-powered ones; but I do suggest that it might be advisable to have it apply let us say to outboard motors above 5 horsepower. Motors above 5 horsepower can become a dangerous speed hazard. My suggestion with respect to what is contained in this section, that every effort should be made by the department to inform the public about these regulations. I think it is most important that the public should be informed.

The CHAIRMAN: Yes, they should give them correct and reliable information so that there can be no misunderstanding. As mentioned by Mr. Garland, this affects our tourist trade and is something which should be given careful consideration.

Mr. APPLEWHAITE: Are these licences to be renewable every year?

Mr. MATTHEWS: No, one licence for all time, subject to change of ownership.

Mr. APPLEWHAITE: It would be changed with change of ownership?

Mr. MATTHEWS: Yes.

Mr. CARROLL: I would like to ask you about the use of outboard motors on the Atlantic seaboard, particularly on the Island of Cape Breton, with respect to fishing vessels, the small fishing boats; are they operated by the outboard motor process?

Mr. KERR: I do not know of any fishing boat, sir, on any of our coasts propelled entirely by outboard motor. My experience has been that all fishing boats, commercial fishing boats, are powered by inboard motors.

Mr. CARROLL: Yes, and if there are I suppose the counsel for the department would see that fishing boats as mentioned in section 106—they are bound to get a licence—would they be subject to this regulation?

Mr. MATTHEWS: No. fishing vessels would be exempt.

Mr. CARROLL: I know that they have to have a licence but I am asking now if these regulations would apply to the small fishing boat or vessel?

Mr. MATTHEWS: I would think that they would be exempt under any regulations that would be made.

Mr. CARROLL: I can understand that. That is what I wanted to bring to the attention of the minister. Are the regulations that will be made under this proposed amendment to apply to fishing boats or vessels operated in coastal waters?

Hon. Mr. CHEVRIER: I can give that undertaking now.

Mr. APPLEWHAITE: The third question I wish to ask concerns this matter of the nearest custom collector being the only facility for vessels being registered. It is the nearest collector who registers?

Mr. MATTHEWS: Yes, I would think that would be correct—the customs collector, or sub-collector, would be the registrar for the ship.

Mr. APPLEWHAITE: Then I just wish to give this suggestion to the minister. I am not acquainted with the section, but it is probably required; and I am not speaking in connection with the tourist industry or with much travelled waterways, but I am speaking for the primitive areas of this country where a man operates a bateaux with an inboard or an outboard motor. He is three or four hundred miles from the customs office and there are no roads or other means of transportation. All I am going to do now is to ask that when the regulations are drawn care is taken that the provisions are not of a general nature, impossible of application in remote areas.

Mr. CARTER: In reply to a question put by Mr. Carroll, for the information of the committee, I should like to put on record the fact that there are a number of fishermen in my riding who use outboard motors in their small fishing boats.

Mr. MOTT: I do not see an awful lot wrong with the section—in fact I would support it, but with respect to the remarks made by Mr. Carroll some of the fishing boats go a lot faster than speed boats. When checking up on this, I think fishing boats should be taken into consideration. I know some of those boats going out dog fishing and running three or four miles off the coast travel at 25 or 26 knots. With reference to what is necessary for fire fighting I think that

matter is of small nature, but I do think that one of the things the Act does help is in connection with the matter of stealing engines from boats. The matter of identification is important.

The CHAIRMAN: Shall the clause carry?

Mr. GARLAND: May I ask a question here? Can the department say whether all craft using outboard motors, regardless of where they are based, will require to have fire fighting equipment and life saving equipment in them?

Mr. MATTHEWS: Yes; there are regulations on that point. Steamship inspection requires that all motor boats should carry a certain number of life preservers and that for fire fighting purposes a fire extinguisher must be carried when the ships are used commercially. Operators should, then, have that apparatus. If you are going to carry passengers for hire you should have the equipment. We do get a lot of complaints and people are drowned every summer.

Mr. ROONEY: In Toronto bay practically all boats are licensed. They have to have a light and it does not matter how small the boat is. Now, I do not know who collects those licence fees—perhaps the minister can inform us whether it is the Toronto Harbour Commission or not—but, with the extra licensing what would the effect be?

Mr. MATTHEWS: Those boats would come under the Toronto Harbour Commission but the department would work in connection with the Harbour Commission.

Mr. ROONEY: There would be no duplication?

Mr. MATTHEWS: No.

Mr. HERRIDGE: I would like to speak about paragraph (a) of section 107A and move that it be amended by adding after the words "detachable motors" the words "over 5 horsepower."

Mr. HODGSON: I would second that motion if you would include the length of the boat as 20 feet?

Hon. Mr. CHEVRIER: That is the very point. If you put in the length of the boat you destroy the idea Mr. Herridge has. How are you going to regulate this, by length or horsepower?

Some MEMBERS: Horsepower.

Hon. Mr. CHEVRIER: My idea the other evening was "horsepower" but my officers say that it should be "length". They do not say it must be length but they feel it should be. If you amend this you are going to tie their hands. They want to find out by experience whether it should be length or horsepower and, I think perhaps we should learn by experience and leave it this way.

Mr. JONES: Mr. Chairman, I think the difficulty of determining it by length lies in the fact that on our lakes the speed boats are little "flapjacks" about 5 or 6 feet in length.

Hon. Mr. CHEVRIER: You are thinking of racers now?

Mr. JONES: Yes. They are there all the time.

Mr. HARRISON: Mr. Chairman, I think this section is fairly clear. Will the point about specific regulations being made be subject to ratification by parliament?

The CHAIRMAN: No.

Mr. NOSEWORTHY: Would it not be more sensible to regulate it by actual speed per hour rather than by either length or motor?

Hon. Mr. CHEVRIER: It may be. That is one thing we would like to study.

Mr. NOSEWORTHY: Because 5 horsepower on a short boat would create a much greater speed than twice that horsepower on a long boat. I think speed is the factor.

Mr. HIGGINS: I am not very happy about this thing. The minister said it is a question of finding out what is the best thing to do. Why not wait until we find out before we put this section through at all.

Hon. Mr. CHEVRIER: There is an amendment before the chair Mr. Chairman.

The CHAIRMAN: Yes. Mr. Rooney was speaking on it.

Mr. ROONEY: I would like to clear this up. I shall have these questions thrown back to me when I get home. I belong to the Royal Canadian Yacht Club. The majority of people who have these boats have to put on a plate. Now you come along with another one on top of that. I think there will be a lot of complaints. Before that is done, would you be making some arrangements with the Toronto Harbour Commission that there would only be the one plate?

Mr. ROBINSON: Or with any other Harbour Commission.

Mr. ROONEY: Or with any other harbour commission. Hamilton is in the same position.

Mr. GREEN: I would like to find out where the punitive provisions are to be found. Where do we find the crimes? Is it under the Criminal Code or under the regulations issued under this Act? Where are the laws that you are enforcing?

The WITNESS: You mean the penalty for failing to comply with these things?

Mr. GREEN: No. Where is the crime defined?

The WITNESS: In the Canada Shipping Act itself, such as for insufficient fire fighting equipment, and life saving, and for speeding. The penalty is in the regulations in the case of excessive speed on inland waters.

Mr. GREEN: That is a regulation under the Canada Shipping Act?

The WITNESS: That is right.

Mr. GREEN: Are there any provisions under the Criminal Code which you could invoke, having to do with ships?

The WITNESS: I cannot recall any, sir.

Mr. GREEN: You are dealing only with the regulations under the Canada Shipping Act?

The WITNESS: Yes, sir.

Mr. GREEN: Have any complaints been received from any of the provinces about the law as it stands?

Captain KERR: We have had a series of complaints down the years from practically every province in Canada and from individuals on the need for regulations to control the speed of motor boats.

Mr. GREEN: Have you received any complaints from the Attorney General of any province?

Hon. Mr. CHEVRIER: They would not come to us. They would go rather to the Department of Justice.

The WITNESS: I think a complaint was received from Saskatchewan last summer concerning excessive speed on a certain lake there, the name of which I forget. There is a beach as well, and a request was made that some action be taken to deter speed. There may be others. I think this happened last summer.

Mr. GREEN: But the minister knows of no complaints from an attorney general in Canada?

The WITNESS: No.

Mr. GREEN: About the regulations or about the way in which they are being enforced. Are these regulations enforced by any one except the R.C.M.P.?

The WITNESS: Yes. I think the regulations are drafted in such a way that action can be taken for speeding under those regulations by other forces. I am sure that in Ontario prosecutions have been made by municipal police.

Mr. ROBINSON: The Trent Canal authorities for one can do it.

Mr. CARROLL: Any private individual can do it.

Mr. GREEN: Yes. These regulations have universal application. Will they apply to all the lakes in the country or will they be limited to waters where there is quite a lot of traffic? Are they going to be applied to all the lakes in the country? It seems to me there is quite a lot of difference between what is required, let us say, for the Detroit River or for the Thousand Isles, and what is required for Lake Labine in the riding of the member from Skeena. Will these regulations apply to the whole of the country, or will they be applied only to crowded waters?

The CHAIRMAN: Mr. Herridge, I see you are leaving. Are you withdrawing your motion?

Mr. HERRIDGE: No, Mr. Chairman. I have to leave, unfortunately. The motion stands.

Captain KERR: It is my understanding that no nuisance value will be attached to the proposed regulations nor is there any desire to go into the far-off places to see if a person has a mark on a boat. The idea is to mark vessels where possible and feasible for identification purposes.

Mr. GREEN: If you are only trying to get at a wrong which is found in every populated district then why not confine your law to those areas, because to take out a licence for a motor boat, a man in the first place has to go—as Mr. Applewhaite has said—he may have to go hundreds of miles to get the licence, and before he gets that licence he may have police officers stepping in there and going after him, laying a charge against him. That gives great scope for petty tyranny. I think when we are putting in regulations of this type which can be enforced perhaps by imprisonment—there will be a penalty for breaking the regulations—we have to be very careful in making blanket regulations especially where the department does not know where the limit is to be. What Mr. Garland has said is of the utmost importance to Canada. The tourist industry is one of the most important industries in Canada and we are affecting tourists going to the Canadian tourist resorts, Americans coming here who bring outboard motors with them. The department does not know yet who is to get that licence, whether the Americans will have to get it or whether the man who rents them a hull will have to get it. It is going much too far. I think there should be some restriction placed on this provision. Has it been estimated how many outboard motors there are in Canada?

Captain KERR: Mr. Chairman, I cannot give an answer to that question but I have given the figure of over 61,000 vessels which are licensed.

Mr. GREEN: Yes, but those are small pleasure craft we find, for example, around Vancouver, and in different harbours, but when you consider outboard motors I will bet you there are thousands of them in Vancouver alone. Now, you have no idea how many thousands or hundreds of thousands there are in Canada?

Captain KERR: I do not think it is possible to say exactly how many there are, or even to give a reasonable guess as to the number of outboard motors or boats propelled by outboard motors.

Mr. GREEN: There has been no estimate made whatever as to the number?

Captain KERR: Not so far as I know.

Mr. CANNON: Mr. Chairman, on Mr. Green's remarks and also on the motion made by Mr. Herridge, I would like to submit that we cannot incorporate in the Act the exact scope of the licensing requirements, neither as to the waters to be covered nor as to the norm to be used, whether speed, size of boat, or power of motor. I think all this should be left to the regulations and to the department to deal with. I think we are wasting our time here in going into such detail.

Mr. HODGSON: In my riding alone there are 5,000 outboard motors and none of them are licensed, and there are another 5,000 boats which are not marked. Now, if this regulation comes into force this year all that any policeman has to do is to go down to the docks at nightfall at Bobcaygeon, Fenelon Falls, and many points in Haliburton County, and he can pick off sixty in an evening coming in at any one of those docks.

Hon. Mr. CHEVRIER: Mr. Chairman, let me reassure my honourable friend, Mr. Hodgson, that there is no intention of doing that. Surely the people who are enforcing this Act are going to use some common sense and if they do not, I am going to see to it that they do, and I am telling them that now. The object of this has been very clearly explained by the officers and there is no intention of making life miserable for people. Surely, the position in my own district is equally the same as that in the district of my friend, Mr. Hodgson, and in other districts as well. I think we must rely on the discretion, as suggested by Mr. Cannon, of these men. They are not going to enforce the regulations in order to antagonize the public; I think it is more for the protection of the public.

I would point out now, Mr. Chairman, that we have been on two sections since we started this morning.

The CHAIRMAN: All in favour of Mr. Herridge's motion? The clerk will read it.

The CLERK: Mr. Herridge moved that clause 9 be amended by adding to paragraph (a) of section 107 (a) contained therein after the word "motors" in line 32, page 7, the following: "over five horsepower".

The CHAIRMAN: All in favour of the motion? Opposed?

I declare the motion lost.

Mr. GREEN: Could we have an explanation of paragraph (b)?

The CHAIRMAN: You mean (b) in section 9?

Hon. Mr. CHEVRIER: Yes.

Mr. MATTHEWS: Clause (b) in 9 has this effect: at the present time a United States resident who owns a boat in Canada is not required to have a licence and being an alien is not entitled to have a licence so that clause is put in there to enable a licence to be granted to a United States citizen who is a summer resident of Canada.

Mr. GREEN: In other words, if an American motorboat comes up into Canadian waters the proprietor must get a Canadian licence?

Mr. MATTHEWS: No, that is not what it is for. What we have in mind is the person who keeps a motorboat here all the time; that boat should be licensed.

Mr. GREEN: That would not apply to a boat just coming in on a visit?

Mr. MATTHEWS: No, not to a boat coming on a visit.

Mr. GREEN: That is where a boat is actually a Canadian boat owned by an American.

Mr. MATTHEWS: Yes, being maintained by him in Canada.

The CHAIRMAN: Does he have to pay for this licence?

Mr. MATTHEWS: No, the licence is free.

Shall the section carry?

Carried.

Shall section 10 carry?

Carried.

Shall section 11 carry?

Carried.

Shall section 12 carry?

Mr. GREEN: Could we have an explanation of that?

Mr. MATTHEWS: Representations have been made to the department by the halibut fishermen on the west coast. At the present time they operate under a regulation which permits them to go up as far as Cape Spencer and if they want to operate further west along the coast of Alaska they cannot do so. The effect of this amendment is to enable them to do that. In other words, it enlarges the territory in which they can operate. They have said that this change is satisfactory to them.

Mr. GREEN: Who asked for that?

Mr. MATTHEWS: The halibut fishermen, all the halibut fishermen on the west coast.

Carried.

Section 13, shall section 13 carry?

Mr. GREEN: Could we have an explanation of section 13?

Mr. MATTHEWS: Yes. The first part of that section, that is section 122, is the same as at present in the Act. The change is made in paragraph (b), and that is to enable the operator of a boat such as those operating out of Gananoque and Brockville to operate with the master having only a temporary certificate. Strictly speaking, to comply with the Act they would be required to have a certificate covering minor waters and that would involve a certain amount of experience, a physical examination and so on. The operators of these little launches are thoroughly familiar with local waters and are entitled to an operating certificate.

Carried.

Section 14, shall the section carry?

Carried.

Section 15?

Mr. ROBINSON: On clause 15, the representatives of the Dominion Marine Association would like to say a few words. I am sure they will not take long.

Hon. Mr. CHEVRIER: I think I know what they want and perhaps I might say a word on it. I think their request is a reasonable one. The operators and the Dominion Marine Association feel, I believe, that this should not be made applicable—I refer to section 276—to shipping operating on the Great Lakes; and if that is so I think the position is well taken; and perhaps I could suggest that subsection 6 should read somewhat like this: This section does not apply to United States ports on the Great Lakes or the River St. Lawrence. Does that meet the situation?

Mr. DONOVAN: That is satisfactory.

Mr. GIBSON: I wonder if Mr. Matthews could tell us what is involved in this?

Mr. MATTHEWS: This deals with the delivery of documents to consular officers by ships on international voyages when in port. It was felt that this should not apply to ships operating on the Great Lakes from a port in Canada to a United States port.

Mr. GREEN: What about ships on the west coast engaged in the coastal trade?

Mr. MATTHEWS: It definitely applies to ships which visit foreign ports. For instance, take a ship going from Vancouver to San Francisco, it would be required to comply with the section and deliver its documents to the consular officer there.

Mr. GREEN: But suppose the ship went to Skagway, Alaska?

Mr. MATTHEWS: It would apply there also. The document would have to be filed with the consular officer there if there is one.

Mr. GREEN: This is an entirely new provision in the Canadian Act?

Mr. MATTHEWS: Yes, it is taken from a similar provision in the United Kingdom law.

Mr. GREEN: The ship's master has to go to the consular officer and leave with him during the stay in that port a copy of the agreement between the owners and the crew; that is what it is?

Mr. MATTHEWS: That is right.

Mr. GREEN: I am not quarrelling with the amendment. It is a new provision and I was just wondering why the provision is made in this section?

Mr. MATTHEWS: The purpose of that is to make sure that if anybody is left behind in a foreign port a copy of the record is with the consular officer.

Mr. GREEN: Who asked for it?

Mr. ADAMSON: Was that not an International Labour Office recommendation.

Mr. MATTHEWS: The department has felt the need of it in practice for some time. The recommendation comes from the department.

The CHAIRMAN: Mr. McCulloch has an amendment.

Mr. McCULLOCH: Yes.

The CHAIRMAN: I shall have the clerk read it.

The CLERK: "That clause 15 of the bill be amended by adding the following as subsection (6) to section 276 (a). "(6) This section does not apply to United States ports on the Great Lakes or river St. Lawrence".

The CHAIRMAN: All in favour of the amendment?

Carried.

Shall the clause as amended carry?

Carried.

Clause 16.

Carried.

Clause 17.

Mr. GREEN: This brings up a new point and I wonder if we might take it later on?

The CHAIRMAN: It is 1 o'clock now, shall we adjourn until 3.30 p.m.?

Agreed.

The committee adjourned.

AFTERNOON SESSION

WEDNESDAY, June 21, 1950.

—The committee resumed at 3.30 p.m.

The CHAIRMAN: Gentlemen, I believe Mr. Green was discussing clause 17 at the adjournment. Would you like to continue Mr. Green?

Mr. GREEN: I wonder if the officers could explain the matter of the white flag certificates. Apparently they are being done away with and I would just like to get some information.

Mr. MATTHEWS: The white flag certificate is a certificate which is given to a master or mate of a ship to pilot his own ship. They have not been issued for many years. I understand there are none now in force. The pilots themselves have objected to this provision being in the Act and have asked for the repeal of white flag certificates. Henceforth the only people having pilotage certificates will be the pilots themselves.

The CHAIRMAN: Shall section 17 carry?

Carried.

Section 18.

Carried.

Section 19.

Mr. GREEN: Clause 19 amends section 338 and that section exempts certain ships from paying pilotage dues. Now, if a government ship takes on a pilot, is the government not compelled to pay any pilotage dues, and if not, why not?

Mr. MATTHEWS: Government ships are not required to pay pilotage dues—they are exempt because they are not engaged in commercial work. This amendment is put in to take care of the situation between Sydney, Nova Scotia and Newfoundland. Vessels of the Newfoundland railway, before Confederation paid pilotage when they went into North Sydney harbour. At Confederation they became government vessels. They were entrusted to the C.N.R. for operation and it is proposed to make those vessels subject to pilotage dues. The exception reads: "except ships entrusted for operation and management to an agency of this Majesty"—the C.N.R.—they are engaged in commercial work.

Mr. GREEN: All other government ships will get pilotage service free. I can understand why naval ships should not have to pay pilotage?

Mr. MATTHEWS: If they take on a pilot they would have to pay the pilot; but they do not take on pilots.

Mr. GREEN: All government vessels except those ones taken over from Newfoundland get free service? Is that the position?

Mr. MATTHEWS: The position is that they do not engage pilots. A lighthouse tender does not engage a pilot.

Hon. Mr. CHEVRIER: The master of a ship knows the waters in which he is plying.

Mr. GREEN: But if they have to have a pilot—

Mr. MATTHEWS: If they had to take on a pilot they would pay him.

The CHAIRMAN: Shall the section carry?

Carried.

Section 20.

Mr. GREEN: Clause 20 appears to give the pilots some right to cut down the exemptions from the payment of pilotage dues—which right they have not had before?

Mr. MATTHEWS: Yes.

Mr. GREEN: What was the reason for the change?

Mr. MATTHEWS: They did have the right before, Mr. Green. In connection with ships in the Montreal pilotage district they have taken out the expression "other than the pilotage district of Montreal" because the pilots of Montreal want the right to remove the exemption in the case of a ship over 1500 tons. That is the reason for the exception "other than the pilotage district of Montreal". Otherwise, the section is the same as it was before, giving the pilots of Montreal the right to remove exemptions.

Mr. GREEN: Should not be a right given to the department rather than to the pilotage authority?

Mr. MATTHEWS: It is a right of the department because it has to be done by by-law approved by the Governor in Council. The pilots cannot do that unless the by-law is approved by the government.

The CHAIRMAN: Shall the section carry?

Carried.

Section 21.

Carried.

Section 22.

Carried.

Section 23.

Carried.

Section 24.

Carried.

Section 25.

Mr. GREEN: This section apparently gives the government very wide powers to make regulations in order to comply with the International Convention of Safety of Life at Sea. Is that the purpose of the section?

Mr. MATTHEWS: Yes. The only new parts in this section are the parts which refers to the new convention. The old section refers to the old convention.

All the sections from now on merely give power to implement the new convention.

Mr. GREEN: All sections to the end of the bill from 25 on deal with the convention?

Mr. MATTHEWS: Yes, except for two sections at the end.

The CHAIRMAN: Shall section 25 carry?

Carried.

Section 26.

Carried.

Section 27.

Mr. HERRIDGE: In connection with clause 27 I would like to ask the witness whether that applies to the case of a new ship being launched—not inspected—but proceeding to another port without passengers and for further improvements?

Mr. MATTHEWS: Mr. Young tells me that in those circumstances a permit would be issued.

The CHAIRMAN: Shall the section carry?

Carried.

Section 28.

Mr. GREEN: Could Mr. Matthews explain this section. I do not understand why that is not done under 387 of the Canada Shipping Act instead of 388.

Mr. MATTHEWS: We are speaking now of section 389.

Mr. GREEN: Yes.

Mr. MATTHEWS: That has to do with the issue of the certificates. 389 says: "—on receipt of the report of inspection provided in—388". That has to do with convention ships.

Mr. GREEN: Why is it not on receipt of the report of inspection provided for in 387?

Mr. MATTHEWS: 387 requires that inspection shall be made. 388 has to do with the report. 388 provides that the report shall be made to the chairman.

Mr. GREEN: The two sections refer to the same inspection?

Mr. MATTHEWS: Yes.

Mr. ROBINSON: Why is it that you have the words "Canadian Steamship" in that section? Is there any reason for that?

Mr. MATTHEWS: Yes, you see we changed the definition of a ship registered in Canada to Canadian ship.

Mr. ROBINSON: But in your interpretation clause you call it "Canadian ship". Why do we not have "Canadian ship" all the way through?

Mr. MATTHEWS: This is a steamship. There is particular reference to a steamship.

Mr. ROBINSON: Should we not define a 'Canadian steamship'?

Mr. MATTHEWS: I do not think it is necessary. A steamship is defined as a ship propelled by machinery.

Mr. ROBINSON: This section only applies to steamships?

Mr. MATTHEWS: That is right.

The CHAIRMAN: Suppose it were a diesel ship?

Mr. MATTHEWS: That would be a steamship.

Mr. GREEN: What about subsection 2 of section 389?

Mr. MATTHEWS: That has to do with a cargo ship. The old convention did not cover cargo ships so now there is a special safety certificate for cargo ships.

The CHAIRMAN: Shall section 28 carry?

Carried.

Section 29.

Carried.

Section 30.

Carried.

Section 31.

Mr. GREEN: Can you explain this new section 392?

Mr. MATTHEWS: It is a new section Mr. Green. The underlined words indicate the changes that are made to correspond with the Safety Convention provisions. I do not think that there is anything important in it.

Mr. GREEN: Is there any significance to the words "in the course of a voyage"?

Mr. MATTHEWS: No, before it was "if on any international voyage." I think that was a change suggested by the Justice Department.

Mr. GREEN: Of no material significance?

Mr. MATTHEWS: No.

The CHAIRMAN: Shall section 31 carry?

Carried.

Section 32.

Mr. GREEN: May I refer to subsection 2 of new section 393.

The CHAIRMAN: Duration of certificates?

Mr. GREEN: Formerly the certificate was only for a period of one year and now that time limit has been removed. Why was that done?

Mr. MATTHEWS: The safety equipment certificate which applies to cargo ships is a two-year certificate. That is a change in the convention.

Mr. GREEN: Well for a passenger ship of what duration would the certificate be?

Mr. MATTHEWS: I think it is one year but I will let Mr. Young explain that.

Mr. YOUNG: Section 476 of the Act refers to small ships under 150 tons gross tonnage which are motor ships and are inspected only once in four years. The safety equipment certificates which are issued under the Safety Convention to cargo ships are issued every two years. Every other certificate is issued annually.

Mr. GREEN: Old subsection 2 read: "Save as provided in section 476 of this Act, a certificate shall not be in force for more than one year from the date of issue or for any shorter time specified therein, or after notice has been given by the chairman to the owner or master that it has been cancelled." Now, you have taken out the one year period in the new section?

Mr. YOUNG: All certificates, barring the exceptions, are for one year only. In the case of motor ships of under 150 gross tons the inspection is every fourth year; and in the case of cargo ships which have to carry safety equipment certificates the inspection is every two years.

Mr. GREEN: Any certificates to which 393 refers will be either two years in the case of cargo ships or one year in the case of passenger ships?

Mr. YOUNG: One year in the case of passenger ships is correct.

Mr. GREEN: Even though the time is not mentioned in the certificate?

Mr. YOUNG: Under section 387 the ships must be inspected annually.

Mr. GREEN: What about new subsection 4 which provides for an extension for one month?

Mr. YOUNG: That is a new provision in the Safety Convention.

Mr. GREEN: Called for by the Safety Convention?

Mr. YOUNG: Yes.

The CHAIRMAN: Shall the section carry?

Carried.

Section 33.

This is a long clause, gentlemen, and I suppose you have considered the various subparagraphs.

Mr. GREEN: On page 17 I see that subsection 3 of 396 is new. Would one of the officers explain why it has been inserted?

The CHAIRMAN: You are referring to the section at the bottom of page 17?

Mr. MATTHEWS: That is to take care of the case of cargo ships which were not covered by the old convention, and that merely means that where a cargo ship of a foreign country has a valid safety equipment certificate it is accepted by the Canadian authority.

Mr. GREEN: It is to cover cargo ships?

Mr. MATTHEWS: Yes.

The CHAIRMAN: Shall section 33 carry?

Mr. GREEN: Before you go on to section 34 I would like to ask a question in connection with new section 398a which apparently covers ships which belong to a country not a party to the convention. Canada could issue a certificate in respect of those ships, as I understand it, and I wonder whether the officers would explain how this is handled.

Mr. MATTHEWS: No, we do not give any certificate to a ship which does not belong to a signatory of the Safety Convention. If a vessel belonging to a country which is not a party to the Safety Convention comes into our port and our steamship inspector thinks that the ship is not safe, then the inspector can refuse to clear the ship or he can clear the ship under certain conditions which are outlined on page 19.

Mr. GREEN: That is a new provision?

Mr. MATTHEWS: Yes. The reason for it is that we do not think ships belonging to countries not parties to the Safety Convention should come into Canadian ports free to trade back and forth, without some inspection or discretion used as to whether they should come in here. They may have standards that are below safety standards and we think our inspectors should have the right to go on board and if necessary to refuse clearance.

Mr. GREEN: That is a new power being taken by Canada?

Mr. MATTHEWS: That is right.

Mr. GREEN: Hitherto we have had no control over a ship unless it belonged to a country that belonged to the convention?

Mr. MATTHEWS: No.

The CHAIRMAN: Shall section 33 carry?

Carried.

Section 34.

Carried.

The CHAIRMAN: Section 35. Does the section carry?

Carried.

Section 36. Does the section carry?

Carried.

Mr. HERRIDGE: Mr. Chairman, I asked a question about section 34.

The CHAIRMAN: Oh, I am sorry. What was your question?

Mr. HERRIDGE: I asked what does it actually mean?

Mr. MATTHEWS: Perhaps Mr. Young will answer your question.

Mr. YOUNG: The explanation of this section is as follows: A ship carrying a large number of passengers is not allowed to load so deeply as one carrying, let us say, 20 or 30 passengers. As a ship carries a greater number of passengers, the sub-division of the ship is required to be closer. In many cases with a very small number of passengers, the ship could be loaded deeper; but with a larger number of passengers, it is purely a matter of the sub-division. And the only changes from the old or main part of the Act in this particular section are the few lines which are underlined.

Mr. GREEN: Is there anything significant in this provision that a "steamship shall not be so loaded as to submerge in salt water the appropriate sub-division load line on each side of the steamship when the steamship has no list."

Mr. YOUNG: The original convention did not specify it; but most convention ships are salt water ships. There are several cases where a ship, if loaded to the sub-division mark, let us say, at Montreal, might be several inches above that mark when it got to sea water. So the convention no longer applies to the loading of a ship in fresh water.

Mr. GREEN: How does that work out in Montreal which is, I presume, a fresh water port?

Mr. YOUNG: To begin with, the ship would be loaded. Of course, fresh water is less dense than salt water, and the ship would float at a much deeper draft, so that when she reached salt water she would rise, in many cases, as much as 9 inches, according to the size of the ship. And in addition to that, going from Montreal to salt water, a considerable quantity of stores are consumed on the way down. Therefore another allowance is made so that when the ship reaches salt water, she will float at the subdivision loadline.

Mr. GREEN: You will allow the ship to load so that she is below the line at Montreal?

Mr. YOUNG: Yes, that is it.

Mr. PEARKES: How do you define "salt water"?

Mr. YOUNG: In this case it means sea water, 64 pounds to the cubic foot.

The CHAIRMAN: We have passed section 34 and section 35. Shall section 36 carry?

Mr. GREEN: Could we have an explanation, Mr. Chairman?

The CHAIRMAN: "Radio Installation".

Mr. CATON: Mr. Chairman, section 36 is the half of section 406 of the Canada Shipping Act which applies to vessels on international voyages and in so doing brings it in line with the new convention.

Mr. GREEN: This is a section which deals with radio telegraphers and an international voyage. This new provision reads:—

All Canadian passenger ships carrying more than twelve passengers, and other Canadian ships of sixteen hundred tons gross tonnage or more, plying on international voyages shall, unless exempted under the provisions of this Act or of the regulations made thereunder, be fitted with a radio installation complying with the provisions of the Safety Convention applicable to ships fitted with a radiotelegraph installation, and shall carry such operators with such qualifications who shall keep such watches as the Minister may prescribe, and while keeping such watches operators shall not engage in any other duties which in any way interfere with the keeping of watches;

What we had hoped was that there would be a similar provision for ships operating in the coastal trade. The members will notice that first of all there must be a radiotelegraph installation, that is, a Marconi installation, and that the ship must carry whatever number of operators are specified; and that those operators will keep whatever watches the minister specifies; and that while keeping such watches, they are not to do any other job. They have the sole business of being at the instrument while they are keeping these watches.

Paragraph (AA) only refers to cargo vessels under 1,600 tons and at the moment we are not interested in it. But I do hope that some similar provision can be made for vessels on the west coast. They do not come under it. If they go to Seattle, or if they go to Alaska after calling at Prince Rupert, then they

have to comply with these regulations, and they have to have an operator and he has to keep watch and do nothing while he is keeping that watch. For ships which do not go to American ports the provisions are set out in the next subsection of this section. It is not in the Bill, it is in the Act, and it reads this way:—

All passenger steamships, whether registered in Canada or not, which are not within subsection one of this section

(i) carrying or certified to carry fifty or more persons, including passengers and crew, and going on any voyage which is or which includes a voyage of more than two hundred nautical miles from one place to another place; or

(ii) carrying or certified to carry two hundred and fifty or more persons, including passengers and crew, and going on any voyage which is or which includes a voyage of more than ninety nautical miles from one place to another place; or

(iii) carrying or certified to carry five hundred or more persons, including passengers and crew, and going on any voyage which is or which includes a voyage of more than twenty nautical miles from one place to another place;

shall before leaving any place in Canada be fitted with a radiotelegraph installation complying with the provisions of Article thirty-one of the Safety Convention and shall carry such operators with such qualifications as are prescribed in the regulations issued hereunder;

Now, the members will notice that that would appear to give some protection. But on our coast the practice is that if a ship calls—even one of the larger ships carrying five hundred or more—if she calls at a whistle stop or at a logging camp over 20 miles distant, then she gets right out from under these provisions and need not have a radiotelegraph installation.

Mr. ROBINSON: Are there not radiotelephones at all the places you mentioned?

Mr. GREEN: Oh, no. Some of them are just logging camps.

Hon. Mr. CHEVRIER: Mr. Matthews put on the record yesterday, I think, a statement of radio facilities in the whole area. In fact, it is better on the coast of British Columbia than it is on many other of our shores.

Mr. GREEN: Many of them are just logging camps. They may just be little camps established while the men are cutting there and then moving on.

Mr. ROBINSON: Would there not be many radiotelephone installations at such spots as you mentioned?

Mr. GREEN: At some there would be, but at others there would not. I do not think it can be questioned but the people on the coast think that this is too lax and that these ships carrying passengers should have a Marconi operator. The waters are dangerous there and there is a lot of fog. It is just as dangerous to go to Prince Rupert as it is to go to Ketchikan; and while a boat going to Ketchikan has to have an operator, a boat going to Prince Rupert does not. It is also dangerous going to Queen Charlotte, as was pointed out yesterday. I believe that the wish of the people on the coast is that this Act be tightened up because they are afraid that there will be some big disaster there some day because there is not a radio Marconi operator.

We have had some serious disasters on the coast. We have had ships lost on this run with several hundred people drowned. Whatever the radiotelephone may be eventually, it simply is not as safe at the present time as a Marconi operator would be. In the first place, you may not have anybody whose sole job it is to be on that telephone. It is just a second job for somebody who is

doing something else. Moreover, they cannot communicate by that radio-telephone with another ship which may be in distress or something.

Mr. CARROLL: You want to make the provisions of section 36 applicable to other conditions?

Mr. GREEN: We would like to have the provisions set out in the new section 406-1-A which follow the convention. We would like to have them or similar provisions applied to these coastal ships. That is the essence of my submission.

Mr. CARROLL: Is there anything in the Act at the present time regarding the installation of ships' radio?

Mr. GREEN: Coastal ships, at the present time, come under sub-section 2; but the spirit of it is being avoided by some of the companies. They get away from the provisions because they call every so often and that means they do not need to have these safety provisions. The press of the province I think is unanimous on the question. I have an article of March 13 of this year, an editorial from the *Vancouver Sun* approving Mr. Applewhaite's speech on this question in the House. The article ends as follows:

There should be no distinction between international coastal voyages and domestic coastal voyages. A voyage from Vancouver to the Queen Charlottes can be just as dangerous as to Ketchikan.

I do not know what the position is with regard to the Great Lakes. I shall not presume to say anything about it. But with respect to the conditions on our coast I think there should be some further provision made. There should be some amendment to this section 406-2 dealing with passenger steamships plying on the coast. My suggestion would be—I do not think this goes as far as it should, probably—but my suggestion would be that we amend section 406-2-A paragraphs 1, 2, and 3 and substitute for the words "from one place to another place" the words "from point of commencement to the farthest outward point".

That was the test used in connection with the new fire regulations. The provision is contained in regulation 3 which reads as follows:

3. These regulations apply to all passenger steamships registered in Canada employed in home trade. Inland or minor waters voyages—

(a) which are certified to carry more than twenty-five berthed passengers or more than fifty berthed and unberthed passengers; or

(b) which do not carry berthed passengers but are certified to carry more than one hundred unberthed passengers and the length of the voyage from the point of commencement to the farthest outward point exceeds fifteen miles or the distance from shore at any time exceeds five miles.

Those provisions were written into the fire regulations just a couple of months ago as a result of the *Noronic* disaster and I think that that would be a wiser way; to have the subsection in question read, instead of it being 200 miles from one place to another place, or 90 miles from one place to another place, or 20 miles from one place to another place, it would read from the point of commencement to the farthest outward point and then, exceeding the number of miles. I do suggest that some such change as that be made and I would like to move—

Mr. CARROLL: Just before you make the motion might I ask the witness at the present time: would this fill a required necessity now under all the circumstances, or is it already filled?

Hon. Mr. CHEVRIER: Perhaps I might deal with that. We spent, I think, an hour and a half on this whole subject yesterday. We met the wishes of Mr. Green by discussing the convention first and by calling the witnesses so that he could have in his possession all the evidence necessary to deal with that matter. In dealing with this section now I hope we will not spend the same amount of time on it as we did yesterday. Mr. Caton gave this evidence yesterday: that there

was a difference of opinion as to the relative value of radiotelegraphy and radiotelephony. He said that unquestionably radiotelegraphy on international voyages was more effective but that radiotelephony on coastal voyages did the job pretty well, provided there was sufficient power, and I do not think there is any doubt about that. Then, Mr. Matthews at a later time put on the record just what the position was on the west coast. I do not want to repeat his evidence but in brief it was that there were twenty-three vessels equipped with radiotelegraph equipment of which seventeen were fitted with radiotelephones. Then, he went on to say that there were nine coastal stations operated by the Department of Transport, two radio terminal stations operated by the Northwest Telephone Company and other stations such as coastal stations at Prince Rupert, at Alert Bay, at Cape Lazo, at Esteban, at Cape St. James, all along the route that my honourable friend is speaking about.

Mr. GREEN: It is not all along the route. Esteban is not on the route to Prince Rupert. It is on the west coast of Vancouver Island.

Hon. Mr. CHEVRIER: You are talking now about the route from Vancouver to Prince Rupert, are you not? Here are the stations on that route: Cape Lazo, Alert Bay, Triple Island, and Prince Rupert. There are four coast stations with telephone and radio facilities, and these ships, while my honourable friend might disagree with me, operate in coastal waters and not in international waters.

Now, then the main objection to amending this section, is that there is in the Department of Transport a continuing committee composed of these men and others who review amendments which should be made from time to time to the Canada Shipping Act.

These men have heard both representations for and against this matter and they have recommended to me against the inclusion of such a clause as my honourable friend would put in the section. The practice has been to amend the Canada Shipping Act every two years and if it is agreeable to the committee I have no objection to instructing the officers to review it de novo in the course of next year or the year after and, if it is the wish of the committee, next year or the year after, to see if it is not possible to come to some understanding. For the present they have told me they do not recommend the inclusion of such an amendment and I think because it is a matter of some technical nature that I should accept their views and for that reason I hope the committee will agree to the section as it is.

Mr. CARROLL: I am sorry, Mr. Minister.

The CHAIRMAN: Let Mr. Green finish.

Mr. GREEN: The minister said that this Act is amended every two years. That is not quite right. This Act was last amended in 1948 and before that I think it was amended only in the 1930's. It is not a question of the Canada Shipping Act being opened up every so often. As a matter of fact, it is very difficult to get it opened up. It is one of those Acts that nobody likes to touch because it is so long and so complicated. Certainly this is the first time I have ever heard it is going to be opened up every two years. The departmental officers may have to advise one way or the other but they are not supreme; we are here, all parties, representing the people on the coast who are apt to get drowned.

Hon. Mr. CHEVRIER: That is quite far fetched.

Mr. GREEN: We have to face that fact, though. This accident of several weeks ago on the *Chelhosin* illustrates that point.

Hon. Mr. CHEVRIER: That had nothing at all to do with radiotelegraphs or radiotelephone facilities, as Captain Kerr explained.

Mr. GREEN: They were equipped with a radiotelephone and the radio operator was on the bridge trying to tell them they were heading for the rocks but no one was listening and they went right into the rocks.

Mr. ROBINSON: There was no evidence whatsoever that that was caused by any fault of radiotelephony.

Mr. GREEN: This is not going to cost the government one penny; the cost of using these operators falls on the steamship company and no doubt eventually falls on the passengers on the coast, and what we are asking is that we be given this safeguard. It is not a matter just to be brushed aside lightly on the ground that the officers of the department here do not think it necessary to bother about it. I believe that the Act as drawn now is being evaded by the companies because a person reading it would think it meant going on a voyage that distance and not getting around the Act by calling every few miles. We are very much concerned about this thing; it is a very serious business for us. Most of the passengers on the coast are carried from one Canadian port to another, and they are entitled to protection just as much as people being carried to Seattle or to Alaska.

Mr. CARROLL: Mr. Chairman, I just wanted to apologize to the minister for looking for information on this matter. I was not present when it was originally brought up.

Hon. Mr. CHEVRIER: In order that the committee may not think that anybody is being brushed aside lightly I would point to the fact that we gave very careful consideration to this matter yesterday and today. Mr. Green probably did not listen to what I said a moment ago to the effect that the Department of Transport gave very careful consideration to representations from both sides, and yesterday we heard from the other side, from a representative of the union, who was given every opportunity to give evidence and answer questions, and we dealt with this whole matter for one and a half to two hours and today we are dealing with it again, so it cannot be said that it is being brushed aside lightly. When we make steamship regulations that appear to be stiff we are told that we are being too stiff and now that we are going the other way we are told that we are being too lenient. I think this is one case where I would like to rely on those people who are in possession of the facts. Mr. Matthews put on record a summary of the statement of Captain Barbour, our supervisor of Masters and Mates Certificates on the west coast; he is the one who made a complete survey of the position there. Over and above that we received representations for and against the necessity of making this change and the recommendation that has been made to me, and the one I am prepared to support, is that the section should remain as it is.

Mr. PEARKES: Mr. Chairman, might I ask one question: I am not particularly worried about passengers on these big ships. I feel quite certain they are well taken care of by radiotelephony and so forth, but what I am thinking about is that these radiotelephones cannot pick up distress signals from the fishing fleet. Now, I understand that there are a number of these Department of Transport receiving stations distributed along the coast. The question I would like to ask is: are they tuned in to the same wave length or the same power of voice transmission as is used normally by the fishing fleet, particularly the smaller vessels of the fishing fleet. I think reference was made to 1630 kilowatts. Do the fishermen not usually operate on a different frequency than that? If these stations distributed along the coast are capable of picking up the fishermen's distress signals I think that removes certain objections.

The CHAIRMAN: Perhaps Mr. Caton could answer that.

Mr. CATON: Mr. Chairman, and gentlemen, the situation with respect to radiotelephony is this, that all ships, that is fishing vessels and other ships licensed to be equipped with radiotelephony equipment are required to be fitted for operation on 1630 kilocycles. Now, these ships are not compulsorily fitted, there is no compulsion that they keep watches on those frequencies,

however. Our coast stations at the points specified do keep continuous watch on 1630 kilocycles. They cover fully that inland waterway as far as radio telephony is concerned, from Prince Rupert to the Queen Charlotte Islands and down to Vancouver.

Mr. PEARKES: Might I ask just one more question? You say those ships are licensed to carry radiotelephony. Are not the majority of ships, the fishing vessels, the smaller fishing vessels, operating on a different frequency, perhaps not even licensed—I do not know. I have been on smaller fishing vessels and I would not like to state the frequency which they work on because my memory may be wrong, but I am given the impression that the smaller fishing vessels operate on a different frequency, I was going to say 820, but that might be quite a wrong figure; but it is only the larger vessels, the packers, which have the 1630 frequency.

Mr. CATON: What I perhaps did not make clear was that all radio equipment must, of course, be licensed and we make it a condition of the licence that they be fitted with 1630 kilocycles for transmission and reception. Now, they have other frequencies, they have other frequencies for operating to the commercial telephone circuits of the Northwest Telephone Company who have powerful stations at Vancouver and Prince Rupert and they have also an inter-ship frequency for working among themselves. There is no compulsion that they shall watch 1630 or otherwise. They may use other frequencies.

Mr. JONES: What would be the effective range of those radiotelephones, fifty miles?

Mr. CATON: Well, sir, the International Safety of Life at Sea Convention prescribes a power of fifteen watts as being capable of one hundred and fifty miles. Most of the ships are very close to that order of power; some may be slightly less in power, especially the fishing vessels. I would say fifty miles average.

Mr. JONES: The point I was going to suggest is this: if fifty miles is the average effective range and there are only four stations between Vancouver and Prince Edward Island, that would be an average of 120 miles between them, so an effective range of fifty miles would result in a blank space where there is no safeguard for ships in that blank area. That is what I was trying to get at.

Mr. CATON: I was thinking more of the very small ship.

Mr. JONES: I am referring to the smaller ships.

Mr. CATON: Most other ships probably have larger power and our survey definitely shows that ships are capable of communicating in that area. There are some places up long inlets from which they have trouble in communication, but the sets operating on coastal waters have no difficulty in exchanging communications.

The CHAIRMAN: Gentlemen, we have had a very full discussion on this question today and yesterday. I take it that Mr. Green wants to move an amendment.

Mr. GREEN: Yes, I would like to move one.

The CHAIRMAN: And have a vote on it and decide it.

Mr. HIGGINS: Mr. Chairman, going to the other side of the country I want to ask about the C.N.R.-Newfoundland service. As I understand it the radio operator down there on the ships operating between North Sydney and Port au Basque also acts as purser of the vessel. Under this particular section he is not permitted to engage in any other duties which in any way interfere with his keeping watch. I was just wondering what his other duties are at the present time in addition to those of radio operator. Could you tell me that?

Mr. CATON: I could not tell you that for certain, sir. There are no duties written down with respect to what radio operators shall do while not watching. He can do anything else as long as he keeps his equipment running, but he is supposed to be on the job.

Mr. HIGGINS: I know that many of them find it very difficult to give proper attention to their duties as radio operators when as pursers they have to check cargo out and get it ready for unloading. I should think it would be enough for them to operate the radio alone and that is why I am bringing this up.

The CHAIRMAN: What is the amendment? Could we have the wording of the amendment?

Mr. GREEN: That in section 406, 2(a), for paragraphs (i), (ii) and (iii) substitute the words "from the point of commencement to the farthest outward point" for the words "from one place to another place". The effect of that would be that ships going on a voyage of 200 nautical miles in the case of the smaller number of passengers and 90 miles in the case of the medium size ship, or 20 miles in the case of the larger ship would have to have a radio-telegraphy installation. There are just two paragraphs from the Vancouver Sun editorial which sum it up:

The government should consider that ships carrying at least 50 persons including crew should be so protected. And it should also be remembered that the carrying of a full-time radio operator is not merely for the safety of the ship in question but to enable her to co-operate in rescuing other ships.

Maintenance of a full-time watch is also important. The operator should have no other duties that will interfere with his watch.

There should be no distinction between international coastal voyages and domestic coastal voyages. A voyage from Vancouver to the Queen Charlottes can be just as dangerous as to Ketchikan.

The CHAIRMAN: Gentlemen, you have heard the amendment by Mr. Green that in section 406, 2 (a), paragraphs (i), (ii) and (iii) be changed by inserting the words "from the point of commencement to the farthest outward point" to take the place of the words "from one place to another place".

All in favour?

Mr. HERRIDGE: Just before you put the amendment, Mr. Chairman: I am not going to deal with the question because Mr. Green has handled it very well indeed, but I do want to say from my own personal knowledge that the amendment represents public opinion on the coast and represents the opinion of a majority of the people who travel on these ships. I think that is a correct statement. I would say that the evidence given to the committee yesterday by the representatives of the radio operators dealt with this matter fully and referred to the wrecks of one or two ships showing the necessity for an amendment for this kind.

The CHAIRMAN: All in favour of Mr. Green's amendment?

Opposed?

I declare the motion lost.

Section 36. Shall the section carry?

Carried.

The CHAIRMAN: Section 37.

Mr. GREEN: Could we have an explanation about that there at the top of the next page, the new subsection (b)?

Mr. MATTHEWS: There is nothing new there, Mr. Chairman.
Shall section 37 carry?
Carried.

Mr. GREEN: No, what is meant by this: "the Governor in Council may exempt from the obligations imposed by paragraph (a) of this subsection any ship or class of ships if he is of the opinion that having regard to the nature of the voyage in which the ship is engaged or other circumstances of the case the provision of a radio installation or the operation thereof is unnecessary or unreasonable".

The words "or the operation thereof" are new. Why are they in there?

Hon. Mr. CHEVRIER: There was no provision for a radio installation before under the old convention and there is now.

Mr. CATON: Mr. Chairman, that phrase was inserted for use in connection with a new certificate for a radiotelephone operation and exemption; the certificate is also applicable to radiotelegraph operation. The clause provides that in case a ship is fitted with radio, which will include direction finding, radar or other forms of navigational devices in addition to an actual radio transmitting and receiving set there would be circumstances where she would not carry an operator or radio transmitting equipment but nevertheless she would be compelled to carry radar and direction finding equipment.

Mr. GREEN: Who would operate it in that case? This apparently gives exemption to a ship from the operation of the equipment although it requires that the equipment be in the ship. Is that what this means?

Mr. CATON: These are navigational devices and as such, modern navigational radar and directional devices, they are operated by the officers of the ship, and are usually on the bridge.

Mr. HIGGINS: It doesn't require actual telegraphic equipment.

Mr. CATON: No, in the old days they had it in the radio cabin, a rather more complicated set-up than what they have at the present time.

The CHAIRMAN: Shall section 37 carry?
Carried.

Section 38. Shall the section carry?

Mr. GREEN: Could we have an explanation of section 38?

Mr. MATTHEWS: That is in the convention.

Carried.

The CHAIRMAN: Section 39? Shall the section carry?

Carried.

Section 40? Shall the section carry?

Mr. HERRIDGE: Referring to 411 in that section (40) does that prevent anybody from carrying radio on a private yacht?

Mr. MATTHEWS: A person can have a radio in a private yacht as well as in the house.

Mr. HERRIDGE: You mean an ordinary radio licence?

Mr. MATTHEWS: Yes, an ordinary receiving station licence.

Carried.

The CHAIRMAN: Section 41. Shall the section carry?

Carried.

Section 42. Shall the section carry?

Carried.

Section 43. Shall the section carry?

Carried.

Section 44. Shall the section carry?

Carried.

Section 45. Shall the section carry?

Mr. GREEN: Could we have an explanation of the new section there?

Mr. MATTHEWS: The changes have just been made in the language, that is all.

Mr. GREEN: And that only applies to cargo vessels?

Mr. MATTHEWS: Yes, other than passenger ships, to give a safety radio-telephony certificate. A cargo ship is entitled to get a certificate if it carries a radiotelegraph installation, and now if it carries radiotelephony we give a radio-telephony certificate. That is the only difference there.

Mr. GREEN: The new subsection (3) of this section apparently has nothing to do, it only applies to all domestic?

Mr. MATTHEWS: That is right, that is the radio inspection certificate referred to in Section 416.

Mr. GREEN: Is that a new provision; has that been in the Act before?

Mr. MATTHEWS: That provides for a new kind of certificate, for a radio inspection certificate.

The CHAIRMAN: Section 45. Shall the section carry?

Carried.

Section 46. Shall the section carry?

Carried.

Section 47. Shall the section carry?

Carried.

Section 48. Shall the section carry?

Carried.

Section 49. Shall the section carry?

Carried.

Section 50. Shall the section carry?

Mr. GREEN: Could we have an explanation of section 50?

Mr. MATTHEWS: That amendment relates to scows and barges, which do not carry passengers or crew and relates to the application of the load line provisions of the Act. The load line provisions have to do with loading, and that applies apparently to the tow and relieves such vessels of having a load line requirement as there is no safety of life involved in craft of that kind.

Mr. GREEN: That is a new provision?

Mr. MATTHEWS: Yes.

Carried.

The CHAIRMAN: Section 51. Shall the section carry?

Mr. GREEN: The explanatory note on the opposite page to page 27 says:—

(3) New. The amendment requires proper entries of boat drills and fire drills to be entered in the official log-book, or in the case of inland waters ships where no official log-book is kept, in the agreement with the crew.

That is an entirely new provision?

Mr. MATTHEWS: I think that is a new provision because that is the only place in which it could be entered on ships where no official log-book is kept.

Mr. GREEN: Where would we find the provisions for the agreement with the crew set out in the main Act?

Mr. MATTHEWS: Section 165 provides for the agreement with the crew. That is the section which provides for that particularly.

Carried.

The CHAIRMAN: Section 52. Shall the section carry?

Carried.

Section 53. Shall the section carry?

Carried.

Section 54. Shall the section carry?

Mr. GREEN: On section 54, there is a change in the wording there. This changes the practice for answering distress signals, and there are quite a few changes in that section. I wonder if we could get an explanation of these changes.

Mr. MATTHEWS: The old section is given in the explanatory notes. The only changes are that if a master receives a distress signal then he has to proceed to the assistance of the vessel in distress but if he is informed by the master of any other ship that he has reached the vessel in distress and that assistance is no longer necessary, or if he is informed by the master of the ship in distress that assistance is not required, then he does not have to go. That is put in there I think for the reason that sometimes messages are all cluttered up in the air and that was to keep the air clear. The amendment is in keeping with the new convention.

Carried.

Mr. GREEN: No, on subsection (3).

The CHAIRMAN: Is that in section 54?

Mr. GREEN: Yes. That now provides that the master of a ship does not have to go to the assistance of another ship when he learns that one or more ships have been sent or are in the position and are complying with the request. Is that not a departure from the present provision? In other words when the vessel gets word of another vessel being in distress there is an obligation to go to the rescue right away. As I read it this exempts them from doing so if they learn that another ship is going to proceed? That may or may not be all right, but it does seem to cut down the safety provisions and if that is the case I would like to know why the change is made?

The CHAIRMAN: Is there any change?

Mr. MATTHEWS: There is that change. Apparently that agreement was reached at the international conference of experts in navigation and radio—when a ship is released from the obligation, and it learns that it is no longer required, it does not have to go to the rescue.

Mr. GREEN: It is not released just because it learns some other ship is going?

Mr. CARROLL: That is just good safe seamanship?

The CHAIRMAN: Shall the section carry?

Carried.

Section 55. Shall the section carry?

Carried.

Section 56. Shall the section carry?

Carried.

Section 57. Shall the section carry?

Carried.

Section 58. Shall the section carry?

Carried.

Section 59. Shall the section carry?

Carried.

Section 60. Shall the section carry?

Carried.

Section 61. Shall the section carry?

Carried.

Section 62. Shall the section carry?

Carried.

Section 63. Shall the section carry?

Carried.

Shall the schedule carry?

Carried.

Mr. ROBINSON: Why should the schedule carry?

Hon. Mr. CHEVRIER: It is the agreement—containing some twenty odd articles.

Mr. ROBINSON: It is not yet actually part of this Act?

Hon. Mr. CHEVRIER: No, but it becomes part of the Act when it is approved by the House.

The CHAIRMAN: Mr. Wilkinson wishes to be heard in connection with a certain matter.

Mr. WILKINSON: I have reference to the definition of "passenger" as contained in subsection 62 at the bottom of page 2.

(62) "Passenger" means any person carried on a ship but does not include (a) a person carried on a Safety Convention ship who is

- (i) the master or member of the crew or a person employed or engaged in any capacity on board the ship on the business of that ship; or
- (ii) a child under one year of age;

Subsection (b) covers the ships with which we are concerned but does not carry the same definition. There a passenger is:

A person carried on a ship that is not a Safety Convention ship who is:

- (i) the master or a member of the crew;
- (ii) the owner or charterer of the ship, a member of his family or a servant connected with his household; or
- (iii) a guest of the owner or charterer of the ship if it is used exclusively for passengers and the guest is carried on the ship without remuneration or any object of profit;
- (iv) a child under one year of age.

Subsection (c) refers to persons carried on a ship in pursuance of distress of shipwreck.

What we have in mind is that in many cases, and in most cases, on the Great Lakes these vessels are owned by corporations and the definition is not sufficient to cover us—the owner or charterer of a ship, a member of his family, or a servant connected with his household—I do not know what that means. It should permit surveyors, steamship inspectors, compass adjusters, operating managers and so on of steamship companies to go on board ship. The definition of the amending Act and in the old Act, is not broad enough to permit those people to go on any ship and I would suggest that the definition as carried in clause (a) be carried down into clause (b). In other words it would include a person employed or engaged in any capacity on board ship in the business of that ship.

There is no reason in the world why a person in that capacity should not be allowed to travel on a ship not a Safety Convention ship.

Hon. Mr. CHEVRIER: I would like to hear what counsel has to say on that?

Mr. MATTHEWS: I do not think the department would have any objection to that suggested change being made, if the committee wishes to accept it.

Agreed.

The CHAIRMAN: Do you wish to revert to that section?

Mr. MATTHEWS: The amendment can be added to subparagraph (i). I think we can work that out.

Mr. ROONEY: I would be pleased to make a motion.

The CHAIRMAN: It is moved by Mr. Rooney that provision be made in the form of an amendment.

Carried.

Shall Section 1 as amended carry?

Carried.

Shall the preamble carry?

Carried.

Shall the title carry?

Carried.

Shall I report the bill as amended?

Carried.

Thank you, gentlemen, that concludes our work.

The committee adjourned.

